

RESOLUTION NO. 75117

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE
AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL
SERVICES TO AWARD A CONSTRUCTION CONTRACT FOR
THE ARZINO RANCH DEMOLITION PROJECT TO THE
LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, AND
APPROVAL OF A TEN PERCENT CONTINGENCY, IN AN
AMOUNT NOT TO EXCEED \$506,000**

WHEREAS, the Arzino Ranch Demolition Project will demolish various ranch buildings and related improvements located at the former Arzino Ranch site, adjacent to the San José/Santa Clara Water Pollution Control Plant ("Plant"), and will return the property to a state similar to other surrounding Plant buffer lands ("Project"); and

WHEREAS, the City of San José ("City") desires to award a construction contract for the Project in October on an expedited basis, in order to meet the Project schedule and avoid the burrowing owl nesting season; and

WHEREAS, the City desires to authorize the Director of Environmental Services to award the contract for construction of the Project to the lowest responsive and responsible bidder in order to maximize the opportunity to begin construction as soon as possible, in a total amount not to exceed the engineer's estimate in the amount of \$506,000, and the amount appropriated for the Project; and

WHEREAS, the award of the contract will be subject to the concurrence of the Treatment Plant Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

Subject to the concurrence of the Treatment Plant Advisory Committee, the Director of Environmental Services is hereby authorized to take the following actions with respect to the Arzino Ranch Demolition Project:

1. Hear and decide any timely bid protests, including any issues of bidder responsiveness or responsibility; and
2. Make the City's final determination as to the lowest responsive and responsible bidder; and
3. Award a contract for the construction of the Arzino Ranch Demolition Project to the lowest responsive and responsible bidder, with a contingency in the amount of 10% of the award amount, provided that the amount of bid award does not exceed \$506,000 and the amount of the bid award plus the contingency does not exceed the funds appropriated for the Project; or
4. In the alternative, reject all bids and rebid the Project.

ADOPTED this 6th day of October, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: LICCARDO.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk